

Amendment No. 1 to HB2528

**Curtiss
Signature of Sponsor**

AMEND Senate Bill No. 2600

House Bill No. 2528*

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by deleting all language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 37-2-412(a), is amended by adding the following language at the end of the subdivision:

With respect to any new dwellings which provide foster care services that are constructed after the effective date of this act or any such dwellings which, after the effective date of this act, are renovated or in which a smoke detector that was installed and maintained prior to the such date is upgraded or replaced, "approved smoke detector" means a photo-electric device, a non-photo electric device or a device which is a combination of a photo-electric and non-photo electric smoke detector that senses visible or invisible particles of combustion and that has been investigated and listed in accordance with standards prescribed pursuant to subdivisions (1) or (2).

SECTION 2. Tennessee Code Annotated, Section 37-2-412(b)(1), is amended by deleting the language:

When activated, the detector shall initiate an alarm that is audible in the sleeping rooms of the dwelling; or

and by substituting instead the language:

Unless the approved smoke detector is a combination of a photo-electric and non-photo electric device, then a photo-electric and a non-photo electric smoke detector shall be installed in the dwelling that when activated, the detector or detectors shall initiate an alarm that is audible in every sleeping room in the dwelling, except in the kitchen area the device must be a photo-electric device; or

SECTION 3. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section _____. On or after the effective date of this act, the department of health shall not issue a license to any new nursing home, assisted-care living facility, or home for the aged unless such facility is fully sprinklered and provides both a photo-electric and non-photo electric smoke alarm or detector or a combination of a photo-electric and non-photo electric device, in each patient room prior to licensure. Provided that in the kitchen area the smoke detector must be a photo-electric device. The smoke alarms may be single-station smoke alarms that are powered by battery or electrical current, or a series of smoke detectors that are connected together and have a central fire alarm panel, or any combination thereof. For nursing homes, assisted-care living facilities, or homes for the aged built prior to the effective date of this act, any existing smoke alarms or detectors requiring replacement shall be replaced by both a photo-electric and non-photo electric smoke alarm or detector or a device which is a combination of a photo-electric and non-photo electric smoke detector, except in the kitchen area the device must be a photo-electric device, providing such replacement for the detectors required pursuant to this section does not require modification to an existing central fire alarm panel or system.

SECTION 4. Tennessee Code Annotated, Section 68-102-151(a), is amended by adding the following language as a new subdivision (3):

(3) With respect to any new one-family or two-family rental units that are constructed after the effective date of this act or any such units which, after the effective date of this act, are renovated or in which the smoke detector that was installed prior to the such date is upgraded or replaced, "approved smoke detector" means a photo-electric device, a non-photo electric device or a device which is a combination of a photo-electric and non-photo electric smoke detector that senses visible or invisible particles of combustion and that has been investigated and listed in accordance with standards prescribed pursuant to subdivisions (1)(A) or (B).

SECTION 5. Tennessee Code Annotated, Section 68-102-151(b)(1), is amended by deleting the language:

Own or operate a one-family or two-family rental unit without installing an approved smoke detector in each living unit; when activated, the detector shall initiate an alarm that is audible in the sleeping rooms of the living unit; or

and by substituting instead the following language:

Own or operate a one-family or two-family rental unit without installing an approved smoke detector or detectors in each living unit. Unless the approved smoke detector is a combination of a photo-electric and non-photo electric device, then a photo-electric and a non-photo electric smoke detector shall be installed in the dwelling that when activated, the detector or detectors initiate an alarm that is audible in every sleeping room of the living unit, except in the kitchen area the device must be a photo-electric device; or

SECTION 6. Tennessee Code Annotated, Section 68-120-111(a), is amended by deleting the language up to and including the colon and by substituting instead the following language:

After the effective date of this act, no one-family or two-family dwelling shall be approved for connection of new electric service under § 68-102-143, unless the dwelling is equipped with a combination of a photo-electric and non-photo electric smoke detector, or a photo-electric and a non-photo electric smoke detector that, when activated, initiates an alarm that is audible in every sleeping room of the dwelling, except in the kitchen area the device must be a photo-electric device. The detector or detectors shall have been:

SECTION 7. Tennessee Code Annotated, Section 68-120-112(c), is amended by adding the following language as a new subdivision:

() If any existing apartment building or hotel is remodeled or upgraded or the smoke detectors are replaced, with respect to such facilities "approved smoke detector" means a photo-electric device, a non-photo electric device or a device which is a

combination of a photo-electric and non-photo electric smoke detector that senses visible or invisible particles of combustion and that has been investigated and listed in accordance with standards prescribed pursuant to subsection (a)(2)(A) or (B), providing such replacement for the detectors required pursuant to this section does not require modification to an existing central fire alarm panel or system. When such installations are made, replacement shall require both a photo-electric and non-photo electric smoke alarm or detector or a device which is a combination of a photo-electric and non-photo electric smoke detector, except in the kitchen area the device must be a photo-electric device.

SECTION 8. Tennessee Code Annotated, Section 68-120-101, is amended by adding the following language as new, appropriately designated subsection:

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(1) With respect to any new building which is required to have a smoke detector pursuant to § 68-120-112, which is constructed after the effective date of this act or, except as provided in subdivision (2), which, after the effective date of this act, is renovated or in which the smoke detector that was installed prior to the such date is upgraded or replaced, "approved smoke detector" means a photo-electric device, a non-photo electric device or a device which is a combination of a photo-electric and non-photo electric smoke detector that senses visible or invisible particles of combustion and that has been investigated and listed in accordance with standards prescribed by:

(A) A nationally recognized and approved independent testing agency or laboratory, such as Underwriters' Laboratories' Standard for Single and Multiple Station Smoke Detectors (UL 217); or

(B) An agency authorized to make independent inspections by the state fire marshal.

Unless the installation of smoke detectors in such buildings is a combination of a photo-electric and non-photo electric device, then a photo-

electric and a non-photo electric smoke detector shall be installed in the buildings, except in the kitchen area the device must be photo-electric devices.

(2) An approved smoke detector for a building which is required to have a smoke detector pursuant to § 68-120-112, shall be as defined when the building was originally constructed if the replacement from an existing smoke alarm or detector to a photo-electric smoke alarm or detector requires modification to an existing central fire alarm panel or system.

SECTION 9. This act shall take effect July 1, 2008, the public welfare requiring it.